

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The non final Office Action dated April 23, 2010 has been received and its contents carefully reviewed.

No claims are amended. Claims 6 and 11-18 were previously canceled. No claims are added. Accordingly, claims 1-5 and 7-10 are currently pending, of these, claims 1-4 are withdrawn from consideration. Reexamination and reconsideration of the pending claims is respectfully requested.

Claims 5 and 7-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2006/0054198 to Choi (hereinafter “*Choi*”) in view of U.S. Publication No. 2003/0221709 to Jung et al. (hereinafter “*Jung*”). *Office Action* at p. 2, ¶ 5. Applicants respectfully traverse the rejection and request reconsideration.

Applicants assert that *Choi* does not qualify as a prior art reference under 35 U.S.C. § 103(a) and thus the rejection based on *Choi* is improper and should be withdrawn. Applicants note that critical date for a reference used for 103(a) purposes is the date of filing *in the United States*. For *Choi*, this critical date is February 17, 2005.

Applicants, however, claim priority under 35 U.S.C. §119 to Korean Application filed September 9, 2004 and are entitled to this date, which predates *Choi*'s critical date of February 17, 2005. In order to perfect the priority claim, Applicants file herewith an English translation of a certified copy of Korean Patent Application No. 10-2004-0072131, filed September 9, 2004 and a statement verifying the accuracy of the English translation. Accordingly, *Choi* is not 103(a) valid prior art to the present application and Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a).

For at least these reasons, Applicants respectfully request that the Office withdraw the 35 U.S.C. § 103(a) rejection of independent claim 5. Claims 7-10 depend from independent claim 5. It stands to reason that the 35 U.S.C. § 103(a) rejection of those dependent claims should be withdrawn as well.

CONCLUSION

All the stated grounds of rejection have been properly traversed, accommodated, and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objection and rejections and that they be withdrawn.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to Deposit Account No. 50-0911.

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Respectfully submitted,

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